



## PATENT APPLICATION

**CERTIFICATE OF MAILING/FACSIMILE TRANSMISSION/EFS-WEB (37 CFR 1.8)**

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is (XXX) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop **Amendment**, Commissioner for Patents, P.O. Box. 1450, Alexandria, Virginia 22313-1450, or () being transmitted by facsimile to the U.S. Patent and Trademark Office. (Fax No. 571 273 8300) (\_\_\_\_ pages), the facsimile is being sent from (908) 429-3650, or () being submitted via EFS-Web under Private PAIR.

Maria T. Sanchez  
(Print Name)

Date: November 20, 2008

Docket No. 2003JP307

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Patent Application of**

Masano NISHIKAWA et al.

Serial No.: 10/550,110 Art Unit: 1796

Filed: September 19, 2005 Examiner: EGWIM, Kelechi Chidi

For: AUXILIARY FOR FORMING FINE PATTERN AND PROCESS FOR PRODUCING THE SAME

**INFORMATION DISCLOSURE STATEMENT AFTER THE FIRST OFFICE  
ACTION ON THE MERITS BUT BEFORE A FINAL ACTION OR NOTICE OF  
ALLOWANCE (37 CFR 1.97 (c))**

November 20, 2008

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

Form PTO-1449

EP 1 223 470 A1  
JP 1-221750 A  
JP 6-81173 A  
JP 9-235318 A  
JP 9-244262 A  
JP 9-325502 A  
JP 10-120968 A  
JP 10-158328 A  
JP 11-283910 A  
JP 11-38642 A  
JP 61-173376 U  
JP 2001-228616 A  
JP 2001-304841 A  
JP 2002-23389 A  
JP 2003-140363 A  
JP 2004-264373 A

English Language Abstract of JP 1-221750 A  
English Language Abstract of JP 6-81173 A  
English Language Abstract of JP 9-235318 A  
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Machine Language English Translation from JPO of JP 2003-140363 A  
Machine Language English Translation from JPO of JP 2004-264373 A

Complete set of specification papers for Serial No. 10/089,704 filed October 4, 2000 and cover page

Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (Form PCT/ISA/220); International Report (Form PCT/ISA/210); and Written Opinion of the International Searching Authority (Form PCT/ISA/237) for PCT/IB2006/003347

Copy of Substantive/Modified Substantive Examination and copy of Search Report (in English) for Malaysian patent application no. PI 20013263

Copy of English Translation (and original language document) of Pre-Notification of Reasons for Possible Rejection of the Pending Patent Examination dated 3/19/2004; of Decision on Examination dated 5/20/2004; and of Pre-Notification of Reasons for Possible Rejection of the Pending Patent Re-Examination dated 11/3/2005 for Taiwanese patent application no. 90111701

Official Action (in Chinese and English Translation thereof) from State Intellectual Property Office of P.R. China for Application No. 02817955.2

Mori, CAPLUS AN1994:617650

Skofronick et al. CAPLUS AN 1969:492865

2.  This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or §1.97(e) Statement is required.

3.  This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance.

3a.  The §1.97(e) Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b.  The \$180.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 50-3309.

4.  This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the Final Office Action or the Notice of Allowance, but before payment of the Issue Fee.

The §1.97(e) Statement (Item 5 below) is applicable. A Petition to the Commissioner is hereby made under 37 CFR §1.97(d) to request consideration of this Information Disclosure Statement. The \$180.00 fee set forth in 37 CFR §1.17(i) is to be charged to Deposit Account No. 50-3309.

5.  Statement Under §1.97(e) (*applicable if Item 3a or Item 4 is checked*)

5a.  In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

5b.  In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making

reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6A.  Related Application

6.  This is a continuation/divisional/continuation-in-part application under 37 CFR §1.53(b). *(Check appropriate Items 6a and/or 6b and/or 6c).*

6a.  Copies of the publications listed on Form PTO-1449 from prior Application Serial No., filed on, of which this application claims priority under 35 USC §120 have been omitted pursuant to 37 CFR §1.98(d) except those listed in 6b. below.

6b.  Copies of the following publications listed on Form PTO-1449 which were not previously cited in prior Application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, of which this application claims priority under 35 USC §120, are provided herewith:

6c.  Copies of the publications listed in Item 1c. above are listed on Form PTO-1449 but are not included as they were .

7.  This is a continuation/divisional application under 37 CFR §1.53(d). *(Check either Item 7a or 7b.)*

7a.  The Issue Fee has not been paid.

7b.  A Petition to Withdraw from Issue under 37 CFR §1.313(b)(5) has been granted. A continuation application under 37 CFR §1.53(d) after payment of the Issue Fee is proper in accordance with 37 CFR §1.53(d)(1)(ii).

8.  This is a Supplemental Information Disclosure Statement. *(Check either Item 8a or 8b.)*

8a.  This Supplemental Information Disclosure Statement under 37 CFR §1.97(f) supplements the Information Disclosure Statements filed on \_\_\_\_\_.

8b.  This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §1.97(i), mailed \_\_\_\_\_. (MPEP 609, Form ¶ 6.51, July 1997.)

9.  In accordance with 37 CFR §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

*(Check appropriate Items 9a, 9b, 9c and/or 9d)*

9a.  satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent and Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68)).

9b.  set forth in the application.

9c.  satisfied because an English language equivalents are attached to each non-English language publication as follows:

Copy of English Translation (and original language document) of Pre-Notification of Reasons for Possible Rejection of the Pending Patent Examination dated 3/19/2004; of Decision on Examination dated 5/20/2004; and of Pre-Notification of Reasons for Possible Rejection of the Pending Patent Re-Examination dated 11/3/2005 for Taiwanese patent application no. 90111701

9d.  enclosed as Attachment 1(d), hereto.

9e.  attached English language documents as follows:

English Language Abstract of JP 1-221750 A  
English Language Abstract of JP 6-81173 A  
English Language Abstract of JP 9-235318 A  
English Language Abstract of JP 9-244262 A  
English Language Abstract of JP 9-325502 A  
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Machine Language English Translation from JPO of JP 2002-23389 A  
Machine Language English Translation from JPO of JP 2003-140363 A  
Machine Language English Translation from JPO of JP 2004-264373 A

10.  No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§1.97(g) and (h).

Serial No.: 10/550,110  
Filed: September 19, 2005

11.  The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR §1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 50-3309.

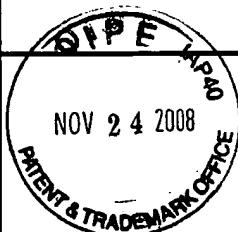
Respectfully submitted,



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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**Applicant(s): **Masato NISHIKAWA et al.****Docket No.****2003JP307**Serial No.  
**10/550,110**Filing Date  
**September 19, 2005**Examiner  
**EGWIM, Kelechi Chidi**Group Art Unit  
**1796****Invention: AUXILIARY FOR FORMING FINE PATTERN AND PROCESS FOR PRODUCING THE SAME**I hereby certify that this **Form PTO-1449 - 6 Pages***(Identify type of correspondence)*is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The  
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Docket No.

**2003JP307**

Serial No.

**10/550,110**

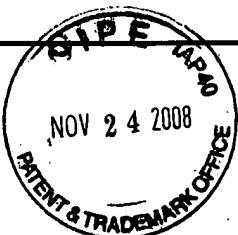
Filing Date

**September 19, 2005**

Examiner

**EGWIM, Kelechi Chidi**

Group Art Unit

**1796**Invention: **AUXILIARY FOR FORMING FINE PATTERN AND PROCESS FOR PRODUCING THE SAME**I hereby certify that this **JP 9-235318 A - 9 Pages***(Identify type of correspondence)*

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**November 20, 2008***(Date)***MARIA T. SANCHEZ***(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)***Note: Each paper must have its own certificate of mailing.**